IMT Nuremberg Archives

H – 3752

International Court of Justice

H3752 - 0002

OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date : 9 August 1948

I certify that Document Number 1902-PS was introduced into evidence as Exhibit Number GB-233 in the Trial by the International Military Tribunal of Hermann GOERING, et al, which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

Fred Niebergall

Fred NIEBERGALL
Chief, Document
Control Branch.

H3752 – 0003

C E R T I F I C A T E

I hereby certify that the annexed document 2902-PS No. GB-233 is a photostat of an original document submitted in evidence by the British Prosecution under this number. The original document has been withdrawn in accordance with Rule 10 of the International Military Tribunal, and to the best of my knowledge and belief is to be held at the National Archives, Washington D.C.

Paul Joosten

PAUL A. JOOSTEN

General Secretary
International Military Tribunal

Nuremberg, 9 August 1948

H3752 – 0004

Nürnberg, den 13. November 1945.

Dr. Kubuschok

als Verteidiger des Angeklagten v. P a p e n .

Stellungnahme zu dem Preliminary Trial Brief.

1.) v. Papen hat die mehrfache Aufforderung Hitlers, der NSDAP. beizutreten, abgelehnt. Er hat von Hitler lediglich "das Goldene Ehrenzeichen der Partei" übersandt erhalten. Hierdurch ist er nach meiner Ansicht rechtlich nicht Parteimitglied geworden. Dies ergibt sich daraus, dass Hitler in ähnlicher Weise das Goldene Abzeichen an Generäle verliehen hat, die bestimmungsgemäss als Angehörige der Wehrmacht Mitglied der Partei nicht sein konnten.

2.) Mitglied des Reichstages ist v. Papen von 1933 - 1945 gewesen.

3.) v. Papen war Reichskanzler vom 1. Juni 1932 bis 17. November 1932. Die Geschäfte als Reichskanzler hat er bis zum Amtsantritt des Nachfolgers bis zum 2. Dezember 1932 weitergeführt.

4.) v. Papen ist am 30. Januar 1933 zum Vicekanzler ernannt worden. Ab 30. Juni 1934 hat er eine Amtstätigkeit nicht mehr ausgeübt. Er wurde an diesem Tage in Haft gesetzt. Sofort nach seiner Freilassung am 3. Juli 1934 hat er sich in die Reichskanzlei begeben, um Hitler seinen Rücktritt zu erklären. Bei seinem Eintreffen in der Reichskanzlei war Hitler gerade bei der Kabinettssitzung, in der das "Gesetz über Massnahmen der Staatsnotwehr" beschlossen wurde. v. Papen nahm in dem Sitzungssaal nicht Platz und bat Hitler in ein Nebenzimmer. Dort hat er unter Beschwerdeführung über seine Verhaftung Hitler erklärt, dass er nach dieser öffentlichen Diffamierung unmöglich länger dem Kabinett angehören könnte und seine Ämter hiermit niederlege. Hitler erklärte ihm darauf, dass er mit Rücksicht auf den ungünstigen Eindruck, den eine sofortige Publizierung des Rücktritts in der Öffentlichkeit hervorrufen würde, den Rücktritt erst in etwa einem Monat veröffentlichen würde.
In der Kabinettssitzung an diesem Tage und an weiteren Kabinettssitzungen hat v. Papen nicht mehr teilgenommen. Er hat auch sonst keinerlei Amtsgeschäfte mehr geführt. Zwar ist, wie ich festgestellt habe, im Reichsgesetzblatt seine Unterschrift unter dem "Gesetz über das Staatsoberhaupt des Deutschen Reiches" vom 1. August 1934 und unter dem "Beschluss der Reichsregierung zur Herbeiführung einer Volksabstimmung" vom 2. August 1934

B 039499

H3752 – 0005

(RGBl.1934 Teil I S.767 u. S.752) veröffentlicht. Diese Veröffentlichung entspricht hinsichtlich der Unterschrift nicht den Tatsachen. v.Papen hat eine derartige Unterschrift nie geleistet. Es kann sich hierbei nur um einen Fehler bei der Drucklegung oder um eine Fälschung handeln.

5.) v. Papen ist am 13. November 1933 Saarbevollmächtigter geworden. Für die Beendigung seines Amtes gilt das gleiche wie zu Ziffer 4.).

6.) v. Papen ist am 26. Juli 1934 zum Gesandten in Wien ernannt worden. Am 4. Februar 1938 wurde ihm durch Lammers telefonisch seine Abberufung mitgeteilt. Er zeigte noch am gleichen Tage in einer Note an den österreichischen Aussenminister seine Abberufung an, verabschiedete sich von seinem Gesandschaftspersonal und fuhr nach Berchtesgaden zu Hitler. Bei der Rücksprache mit Hitler erwähnte er nebenbei, dass der Bundeskanzler v. Schuschnigg in letzter Zeit seine persönliche Rücksprache bei Hitler als zweckdienlich in Erwägung gezogen hätte. Hitler beauftragte daraufhin sofort v. Papen, eine derartige Rücksprache mit Schuschnigg zu vereinbaren. Dem Einwand v. Papens, dass er ja keine amtliche Funktion mehr ausüben könnte, begegnete Hitler mit dem Hinweis darauf, dass sein Auftrag sich ja lediglich auf die Verabredung einer derartigen Rücksprache beziehe. Nach der getroffenen Vereinbarung mit dem Bundeskanzler fuhr v. Papen mit diesem nach Berchtesgaden. Nach seiner Rückkehr nach Wien überreichte er dann das ihm inzwischen zugestellte Abberufungsschreiben dem österreichischen Bundespräsidenten.

7.) Botschafter in der Türkei ist v. Papen in der Zeit vom 29. April 1939 bis 2. August 1944 gewesen.

Dr. Meissner

F. v. Papen

B 039500

H3752 – 0006

2902-PS

TRANSLATION

Nurnberg, 13 November 1945.

Dr. Kubuschok
Defence Lawyer of the Accused v. P a p e n.

Position with regard to the Preliminary Trial Brief

1) v. Papen many times rejected Hitler's request to join the NSDAP. Simply Hitler sent him the "Golden Party Badge". In my opinion, legally speaking, he did not thereby become a member of the Party. This is substantiated by the fact that Hitler in a similar manner presented the "Golden Party Badge" to generals, who, in accordance with the ruling, could not as members of the Armed Forces become Party members.

2) From 1933-1945 v. Papen was a member of the Reichstag.

3) v. Papen was Reich Chancellor from 1 June 1932 to 17 November 1932. He carried on the duties of Reich Chancellor until his successor took office until 2 December 1932.

4) On 30 January 1933 v. Papen was appointed Vice Chancellor. From 30 June 1934 he ceased to exercise official duties. On that day he was placed under arrest. Immediately after his release on 3 July 1934 he went to the Reich Chancellery to hand in his resignation to Hitler. Upon his arrival at the Reich Chancellery he found that Hitler was attending a meeting of the Cabinet in which the "Law re Measures concerning State of Emergency" was being decided. v. Papen did not enter the Conference Room but asked to see Hitler in an adjoining room. There he advised Hitler, while complaining about his arrest, that after this public defamation of himself he found it impossible to belong any longer to the Cabinet and he was resigning office. Hitler in reply said that in consideration of the unfavourable impression which an immediate publication of the resignation would arouse amongst the public, it would not be announced for about a month.

v. Papen did not take part in the Cabinet meeting that day, nor in any subsequent Cabinet meetings. Neither did he discharge any other kind of official duties after that. It is true though, as I have ascertained, that his signature appeared in the RGBl under the "Law regarding the Supreme Head of the German Reich" of 1 August 1934, as well as under the "Decree of the Reich Government with regard to the Introduction of a Popular Election" of 2 August 1934 (RGBl.1934, Part I, page 767 and page 752). This publication, in so far as the signature is concerned, is not in accordance with the facts. v. Papen never executed any such signature. This could only have been a mistake in printing or a deliberate falsification.

5) On 13 November 1933 v. Papen became Plenipotentiary for the Saar. This office was terminated under the same circumstances described under 4).

B 039497

H3752 – 0007

6) On 26 July 1934 v. Papen was appointed Minister to Vienna. On the evening of the 4 February he was informed by telephone through Lammers of his recall. On 5. [illegible] he announced his recall in a note to the Austrian Foreign Minister, took leave from his Embassy personnel and travelled to Berchtesgaden to see Hitler. During his conversation with Hitler he mentioned, in passing, that Schushnigg had recently considered that a personal interview of his with Hitler would be expedient. Thereupon Hitler delegated v. Papen to arrange such an interview with Schushnigg immediately. To v. Papen's objection that he was no longer empowered to exercise any official function, Hitler replied with the statement that this commission confined itself simply to arranging for this meeting.

At the conclusion of the appointed meeting with the Bund Chancellor v. Papen travelled with him to Berchtesgaden. On his return to Vienna he handed to the Austrian Bund President the official note of the latter's recall which Papen had in the meantime received.

7) v. Papen was Ambassador to Turkey from 29 April 1939 to 2 August 1944.

(signed) Dr. Kubuschok

(signed) F. v. Papen

full transl. certified correct
Pfc Ernst M. Cohn
33925-738

INTERNATIONAL MILITARY TRIBUNAL
NURNBERG, GERMANY
GB Exhibit 233
Filed Jan 23, 1946
B 039498

2902-PS

TRANSLATION

Nurnberg, 13 November 1945.

Dr. Kubuschok
Defense Lawyer of the Accused v. P a p e n.

Evaluation for the Preliminary Trial Brief

1) v. Papen many times rejected Hitler's request to join the NSDAP. Finally Hitler sent him the "Golden Party Badge". In my opinion, legally speaking, he did not thereby become a member of the Party. This is substantiated by the fact that Hitler in a similar manner presented the "Golden Party Badge" to generals, who, in accordance with the ruling, could not as members of the Armed Forces become Party members.

2) From 1933-1945 v. Papen was a member of the Reichstag.

3) v. Papen was Reich Chancellor from 1 June 1932 to 17 November 1932. He carried on the duties of Reich Chancellor until his successor took office until 2 December 1932.

4) On 30 January 1933 v. Papen was appointed Vice Chancellor. From 30 June 1934 he ceased to exercise official duties. On that day he was placed under arrest. Immediately after his release on 3 July 1934 he went to the Reich Chancellery to hand in his resignation to Hitler. Upon his arrival at the Reich Chancellery he found that Hitler was attending a meeting of the Cabinet in which the "Law re Measures concerning ~~State~~ State of Emergency" was being discussed. v. Papen did not enter the Conference Room but asked to see Hitler in an adjoining room. There he advised Hitler, while complaining about his arrest, that after this public defamation of himself he found it impossible to belong any longer to the Cabinet and he was resigning office. Hitler in reply said that in consideration of the unfavourable impression which an immediate publication of the resignation would arouse amongst the public, it would not be announced for about a month.

v. Papen did not take part in the Cabinet meeting that day, nor in any subsequent Cabinet meetings. Neither did he discharge any other kind of official duties after that. It is true though, as I have ascertained, that his signature appeared under the "Law regarding the Supreme Head of the German Reich" of 1 August 1934, as well as under the "Decree of the Reich Government with regard to the Introduction of a Popular Election" of 2 August 1934 (RGBl.1934, Part I, page 767 and page 752). This publication, in so far as the signature is concerned, is not in accordance with the facts. v. Papen ~~it~~ never executed any such signature. This could only have been a mistake in printing or a deliberate falsification.

5) On 13 November 1933 v. Papen became Plenipotentiary for the Saar. This office was terminated under the same circumstances described under 4).

H3752 - 0008

H3752 - 0009

6) On 26 July 1934 v. Papen was appointed Minister to Vienna. On the evening of the 4 February he was informed by telephone through Lammers of his recall. On 5.2.1938 he announced his recall in a note to the Austrian Foreign Minister, took leave from his Embassy personnel and travelled to Berchtesgaden to see Hitler. During his conversation with Hitler he mentioned, in passing, that Schushnigg had recently considered that a personal interview of his with Hitler would be expedient. Thereupon Hitler delegated v. Papen to arrange such an interview with Schushnigg immediately. To v. Papen's objection that he was no longer empowered to exercise any official function, Hitler replied with the statement that this commission confined itself simply to arranging for this meeting.

At the conclusion of the appointed meeting with the Bund Chancellor v. Papen travelled with him to Berchtesgaden. On his return to Vienna he handed to the Austrian Bund President the official note of the latter's recall which Papen had in the meantime received.

7) v. Papen was Ambassador to Turkey from 29 April 1939 to August 1944.

(signed) Dr. Kubuschok

(signed) F. v. Papen

Feb 1934 chancellor

6) On 26 July 1934 v. Papen was appointed Minister to Vienna. On the evening of the 4 February 1938 he was informed by telephone through Lammers of his recall. On 5. ~~2.1938~~ he announced his recall in a note to the Austrian Foreign Minister, took leave from his Embassy personnel and travelled to Berchtesgaden to see Hitler. During his conversation with Hitler he mentioned, in passing, that Schuschnigg had recently considered that a personal interview of his with Hitler would be expedient. Thereupon Hitler delegated v. Papen to arrange such an interview with Schuschnigg immediately. To v. Papen's objection that he was no longer empowered to exercise any official function, Hitler replied with the statement that this commission confined itself simply to arranging for this meeting.

At ~~that~~ the conclusion of the appointed meeting with the Bund Chancellor v. Papen travelled with him to Berchtesgaden. On his return to Vienna he handed to the Austrian Bund President the official note of the latter's recall which Papen had in the meantime received.

7) v. Papen was Ambassador to Turkey from 29 April 1939 to 2 August 1944.

(signed) Dr. Kubuschok

(signed) F. v. Papen

full transl. certified correct
Pfc Ernest M. Cohn
33925-138

H3752 - 0010

6) On 26 July 1934 v. Papen was appointed Minister to Vienna. On the evening of the 4 February he was informed by telephone through Lammers of his recall. On 5.2.1938 he announced his recall in a note to the Austrian Foreign Minister, took leave from his Embassy personnel and travelled to Berchtesgaden to see Hitler. During his conversation with Hitler he mentioned, in passing, that Schushnigg had recently considered that a personal interview of his with Hitler would be expedient. Thereupon Hitler delegated v. Papen to arrange such an interview with Schushnigg immediately. To v. Papen's objection that he was no longer empowered to exercise any official function, Hitler replied with the statement that this commission confined itself simply to arranging for this meeting.

At thank the conclusion of the appointed meeting with the Bund Chancellor v. Papen travelled with him to Berchtesgaden. On his return to Vienna he handed to the Austrian Bund President the official note of the latter's recall which Papen had in the meantime received.

7) v. Papen was Ambassador to Turkey from 29 April 1939 to August 1944.

(signed) Dr. Kubuschok

(signed) F. v. Papen

H3752 - 0011

2902-PS

H3752 - 0012

TRANSLATION

Nurnberg, 13 November 1945.

Dr. Kubuschok
Defence Lawyer of the Accused v. P a p e n.

Evaluation of the Preliminary Trial Brief

1) v. Papen many times rejected Hitler's request to join the NSDAP. Finally Hitler sent him the "Golden Party Badge". In my opinion, legally speaking, he did not thereby become a member of the Party. This is substantiated by the fact that Hitler in a similar manner presented the "Golden Party Badge" to generals, who, in accordance with the ruling, could not as members of the Armed Forces become Party members.

2) From 1933-1945 v. Papen was a member of the Reichstag.

3) v. Papen was Reich Chancellor from 1 June 1932 to 17 November 1932. He carried on the duties of Reich Chancellor until his successor took office until 2 December 1932.

4) On 30 January 1933 v. Papen was appointed Vice Chancellor. From 30 June 1934 he ceased to exercise official duties. On that day he was placed under arrest. Immediately after his release on 3 July 1934 he went to the Reich Chancellery to hand in his resignation to Hitler. Upon his arrival at the Reich Chancellery he found that Hitler was attending a meeting of the Cabinet in which the "Law re Measures concerning State of Emergency" was being discussed. v. Papen did not enter the Conference Room but asked to see Hitler in an adjoining room. There he advised Hitler, while complaining about his arrest, that after this public defamation of himself he found it impossible to belong any longer to the Cabinet and he was resigning office. Hitler in reply said that in consideration of the unfavourable impression which an immediate publication of the resignation would arouse amongst the public, it would not be announced for about a month.

v. Papen did not take part in the Cabinet meeting that day, nor in any subsequent Cabinet meetings. Neither did he discharge any other kind of official duties after that. It is true though, as I have ascertained, that his signature appeared under the "Law regarding the Supreme Head of the German Reich" of 1 August 1934, as well as under the "Decree of the Reich Government with regard to the Introduction of a Popular Election" of 2 August 1934 (RGBl.1934, Part I, page 767 and page 752). This publication, in so far as the signature is concerned, is not in accordance with the facts. v. Papen never executed any such signature. This could only have been a mistake in printing or a deliberate falsification.

5) On 13 November 1933 v. Papen became Plenipotentiary for the Saar. This office was terminated under the same circumstances described under 4).

H3752 - 0013

6) On 26 July 1934 v. Papen was appointed Minister to Vienna. On the evening of the 4 February 1938 he was informed by telephone through Lammers of his recall. On 5.2.1938 he announced his recall in a note to the Austrian Foreign Minister, took leave from his Embassy personnel and travelled to Berchtesgaden to see Hitler. During his conversation with Hitler he mentioned, in passing, that Schushnigg had recently considered that a personal interview of his with Hitler would be expedient. Thereupon Hitler delegated v. Papen to arrange such an interview with Schushnigg immediately. To v. Papen's objection that he was no longer empowered to exercise any official function, Hitler replied with the statement that this commission confined itself simply to arranging for this meeting.

At the conclusion of the appointed meeting with the Bund Chancellor v. Papen travelled with him to Berchtesgaden. On his return to Vienna he handed to the Austrian Bund President the official note of the latter's recall which Papen had in the meantime received.

7) v. Papen was Ambassador to Turkey from 29 April 1939 to August 1944.

(signed) Dr. Kubuschok

(signed) P. v. Papen

H3752 - 0014

2902-PS

TRANSLATION

Nurnberg, 13 November 1945.

Dr. Kubuschok
Defense Lawyer of the Accused v. P a p e n.

Evaluation for the Preliminary Trial Brief

1) v. Papen many times rejected Hitler's request to join the NSDAP. Finally Hitler sent him the "Golden Party Badge". In my opinion, legally speaking, he did not thereby become a member of the Party. This is substantiated by the fact that Hitler in a similar manner presented the "Golden Party Badge" to generals, who, in accordance with the ruling, could not as members of the Armed Forces become Party members.

2) From 1933-1945 v. Papen was a member of the Reichstag.

3) v. Papen was Reich Chancellor from 1 June 1932 to 17 November 1932. He carried on the duties of Reich Chancellor until his successor took office until 2 December 1932.

4) On 30 January 1933 v. Papen was appointed Vice Chancellor. From 30 June 1934 he ceased to exercise official duties. On that day he was placed under arrest. Immediately after his release on 3 July 1934 he went to the Reich Chancellery to hand in his resignation to Hitler. Upon his arrival at the Reich Chancellery he found that Hitler was attending a meeting of the Cabinet in which the "Law re Measures concerning ~~State~~ State of Emergency" was being discussed. v. Papen did not enter the Conference Room but asked to see Hitler in an adjoining room. There he advised Hitler, while complaining about his arrest, that after this public defamation of himself he found it impossible to belong any longer to the Cabinet and he was resigning office. Hitler in reply said that in consideration of the unfavourable impression which an immediate publication of the resignation would arouse amongst the public, it would not be announced for about a month.

v. Papen did not take part in the Cabinet meeting that day, nor in any subsequent Cabinet meetings. Neither did he discharge any other kind of official duties after that. It is true though, as I have ascertained, that his signature appeared under the "Law regarding the Supreme Head of the German Reich" of 1 August 1934, as well as under the "Decree of the Reich Government with regard to the Introduction of a Popular Election" of 2 August 1934 (RGBl.1934, Part I, page 767 and page 752). This publication, in so far as the signature is concerned, is not in accordance with the facts. v. Papen never executed any such signature. This could only have been a mistake in printing or a deliberate falsification.

5) On 13 November 1933 v. Papen became Plenipotentiary for the Saar. This office was terminated under the same circumstances described under 4).

H3752 - 0015

2902-PS

~~TRANSLATION~~

Nurnberg, 13 November 1945.

Dr. Kubuschok
Defence Lawyer of the Accused v. P a p e n.

Position with regard to
~~Evaluation of~~ the Preliminary Trial Brief

1) v. Papen many times rejected Hitler's request to join the NSDAP. ~~Finally~~ Hitler simply sent him the "Golden Party Badge". In my opinion, legally speaking, he did not thereby become a member of the Party. This is substantiated by the fact that Hitler in a similar manner presented the "Golden Party Badge" to generals, who, in accordance with the ruling, could not as members of the Armed Forces become Party members.

2) From 1933-1945 v. Papen was a member of the Reichstag.

3) v. Papen was Reich Chancellor from 1 June 1932 to 17 November 1932. He carried on the duties of Reich Chancellor until his successor took office until 2 December 1932.

4) On 30 January 1933 v. Papen was appointed Vice Chancellor. From 30 June 1934 he ceased to exercise official duties. On that day he was placed under arrest. Immediately after his release on 3 July 1934 he went to the Reich Chancellory to hand in his resignation to Hitler. Upon his arrival at the Reich Chancellory he found that Hitler was attending a meeting of the Cabinet in which the "Law re Measures concerning ~~xxxxx~~ State of Emergency" was being ~~discussed~~ decided. v. Papen did not enter the Conference Room but asked to see Hitler in an adjoining room. There he advised Hitler, while complaining about his arrest, that after this public defamation of himself he found it impossible to belong any longer to the Cabinet and he was resigning office. Hitler in reply said that in consideration of the unfavourable impression which an immediate publication of the resignation would arouse amongst the public, it would not be announced for about a month.

v. Papen did not take part in the Cabinet meeting that day, nor in any subsequent Cabinet meetings. Neither did he discharge any other kind of official duties after that. It is true though, as I have ascertained, that his signature appeared in the RGBl under the "Law regarding the Supreme Head of the German Reich" of 1 August 1934, as well as under the "Decree of the Reich Government with regard to the Introduction of a Popular Election" of 2 August 1934 (RGBl.1934, Part I, page 767 and page 752). This publication, in so far as the signature is concerned, is not in accordance with the facts. v. Papen ~~xx~~ never executed any such signature. This could only have been a mistake in printing or a deliberate falsification.

5) On 13 November 1933 v. Papen became Plenipotentiary for the Saar. This office was terminated under the same circumstances described under 4).

B 039437

H3752 - 0016

6) On 26 July 1934 v. Papen was appointed Minister to Vienna. On the evening of the 4 February 1938 he was informed by telephone through Lammers of his recall. On 5. ~~2.1938~~ 4. he announced his recall in a note to the Austrian Foreign Minister, took leave from his Embassy personnel and travelled to Berchtesgaden to see Hitler. During his conversation with Hitler he mentioned, in passing, that Schuschnigg had recently considered that a personal interview of his with Hitler would be expedient. Thereupon Hitler delegated v. Papen to arrange such an interview with Schuschnigg immediately. To v. Papen's objection that he was no longer empowered to exercise any official function, Hitler replied with the statement that this commission confined itself simply to arranging for this meeting.

At ~~that~~ the conclusion of the appointed meeting with the Bund Chancellor v. Papen travelled with him to Berchtesgaden. On his return to Vienna he handed to the Austrian Bund President the official note of the latter's recall which Papen had in the meantime received.

7) v. Papen was Ambassador to Turkey from 29 April 1939 to 2 August 1944.

(signed) Dr. Kubuschok

(signed) F. v. Papen

full transl. certified correct
Pfc Ernest M. Cohn
33925-138

INTERNATIONAL MILITARY TRIBUNAL
NUREMBERG, GERMANY
GB Exhibit 233
Filed Jan 23, 1946

B 039498

H3752 - 0017

2902-PS

TRANSLATION

Nurnberg, 13 November 1945.

Dr. Kubuschok
Defence Lawyer of the Accused v. P a p e n.
Position with regard to
~~Evaluation of~~ the Preliminary Trial Brief

1) v. Papen many times rejected Hitler's request to join the NSDAP. ~~Finally~~ Simply Hitler sent him the "Golden Party Badge". In my opinion, legally speaking, he did not thereby become a member of the Party. This is substantiated by the fact that Hitler in a similar manner presented the "Golden Party Badge" to generals, who, in accordance with the ruling, could not as members of the Armed Forces become Party members.

2) From 1933-1945 v. Papen was a member of the Reichstag.

3) v. Papen was Reich Chancellor from 1 June 1932 to 17 November 1932. He carried on the duties of Reich Chancellor until his successor took office until 2 December 1932.

4) On 30 January 1933 v. Papen was appointed Vice Chancellor. From 30 June 1934 he ceased to exercise official duties. On that day he was placed under arrest. Immediately after his release on 3 July 1934 he went to the Reich Chancellory to hand in his resignation to Hitler. Upon his arrival at the Reich Chancellory he found that Hitler was attending a meeting of the Cabinet in which the "Law re Measures concerning ~~State~~ State of Emergency" was being ~~discussed~~ decided. v. Papen did not enter the Conference Room but asked to see Hitler in an adjoining room. There he advised Hitler, while complaining about his arrest, that after this public defamation of himself he found it impossible to belong any longer to the Cabinet and he was resigning office. Hitler in reply said that in consideration of the unfavourable impression which an immediate publication of the resignation would arouse amongst the public, it would not be announced for about a month.

v. Papen did not take part in the Cabinet meeting that day, nor in any subsequent Cabinet meetings. Neither did he discharge any other kind of official duties after that. It is true though, as I have ascertained, that his signature appeared in the RGBl under the "Law regarding the Supreme Head of the German Reich" of 1 August 1934, as well as under the "Decree of the Reich Government with regard to the Introduction of a Popular Election" of 2 August 1934 (RGBl.1934, Part I, page 767 and page 752). This publication, in so far as the signature is concerned, is not in accordance with the facts. v. Papen ~~xx~~ never executed any such signature. This could only have been a mistake in printing or a deliberate falsification.

5) On 13 November 1933 v. Papen became Plenipotentiary for the Saar. This office was terminated under the same circumstances described under 4).

B 039437

H3752-0017A

PS- 2902

INTERNATIONAL MILITARY TRIBUNAL

2902 PS

H-3752

G. B. EXHIBIT

GB 233

B 039196

b

H3752 – 0018

H3752-0019

6 written pages
8 photostats